

AUG 08 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *DM* DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Guillermo SANTA CRUZ-Rodriguez(1)

Julio Cesar VEGA-Jimenez (2)

Defendants.

Mag. Case No.

'08 MJ 87 08

COMPLAINT FOR VIOLATION OFTitle 8, U.S.C., Section 1324(a)(2)(B)(iii)
Bringing in Illegal Aliens Without
PresentationTitle 18, U.S.C. Section 2
Aiding & Abetting

The undersigned complainant being duly sworn states:

On or about August 7, 2008, within the Southern District of California, defendants Guillermo SANTA CRUZ-Rodriguez and Julio Cesar VEGA-Jimenez, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, Anselmo FRANCO-Urid, Maximiliano Serafin RIVERA-Franco, Cenen DIAZ-Bonilla, and Alvarado Conrado JIMENEZ-Bonifacio, had not received prior official authorization to come to, enter and reside in the United States, did bring to and attempt to bring to the United States said aliens and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii) and Title 18, United States Code, Section 2, Aiding and Abetting.

And the complainant states that this complaint is based on the attached Statement of Facts, which is incorporated herein by reference.


MARCO A. MIRANDA
Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS DAY OF
8TH DAY OF AUGUST 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

v.

2 Guillermo SANTA CRUZ-Rodriguez (1)
3 Julio Cesar VEGA-Jimenez (2)

4 STATEMENT OF FACTS

5 The complainant states that this complaint is based upon
6 statements in the investigative reports by the apprehending
7 officers Border Patrol Agents that on August 7, 2008, the
8 defendants, are natives and citizens of Mexico were apprehended
9 near Ocotillo, California, as they were guiding four undocumented
10 aliens into the United States in violation of law.

11 On August 7, 2008, at approximately 0330 hours Border Patrol
12 Agents received information that a group of possible illegal aliens
13 were attempting to elude inspection by walking through the
14 mountains between the ports of entry. Agents K. Cowan and A. Ojeda
15 responded to the area and followed foot-sign for approximately five
16 to six people walking north, away from the United States/Mexico
17 International Boundary. Agents Gonzalez and Gamboa observed six
18 people coming down a mountain-side of boulders toward Interstate 8.
19 Agent Tiernan observed an individual guiding the individuals, later
20 identified as Julio Cesar VEGA-Jimenez, see him (Agent Tiernan) and
21 motioned to the rest of the group to get down. Agents Gonzalez and
22 Gamboa identified themselves as U. S. Border Patrol Agents, and
23 determined that the six individuals were natives and citizens of
24 Mexico illegally in the United States. All six individuals were
25 transported to the El Centro Border Patrol Station for further
26 processing.

1 VEGA and SANTA CRUZ were advised of their rights per Miranda.
2 VEGA and SANTA CRUZ stated they understood their rights and were
3 willing to answer questions without the presence of an attorney.

4 VEGA stated he made his illegal entry with a group of nine
5 individuals through the mountains. VEGA stated his family made
6 smuggling arrangements for an unknown amount. VEGA stated two
7 persons were guiding them. VEGA stated after he arrived at the
8 highway he didn't see the guides anymore.

9 SANTA CRUZ stated he was helping VEGA guide four individuals
10 into the United States by walking through the mountains. SANTA
11 CRUZ stated he was taking instructions from VEGA. SANTA CRUZ stated
12 he and VEGA were going to be paid \$300.00 per person being
13 smuggled. SANTA CRUZ stated the money was going to be divided
14 between them. SANTA CRUZ was shown a photo line-up and identified
15 VEGA as the guide.

16 Material Witnesses Anselmo FRANCO-Urcid, Maximiliano Serafin
17 RIVERA-Franco, Cenen DIAZ-Bonilla and Alvaro Coronado JIMENEZ-
18 Bonifacio met the foot guides, VEGA and SANTA CRUZ near the La
19 Remurosa, Mexico. FRANCO, RIVERA, DIAZ and JIMENEZ stated they
20 were guided through the mountains. FRANCO stated once he arrived
21 in Los Angeles, California, he was to pay the smugglers \$1,500.00.
22 RIVERA stated he intended to travel to Los Angeles. DIAZ stated
23 once he arrived in Los Angeles he was to pay one of the guides
24 \$2,500.00. JIMENEZ stated once he arrived in Los Angeles he was to
25 pay one of the guides \$1,500.00. FRANCO, RIVERA, DIAZ and JIMENEZ
26 were shown a photo line-up and identified VEGA and SANTA CRUZ as
27 the foot guides.
28

1 The complaint states that names of the Material Witness is as
2 follows:

3 Name	Place of Birth
4 Anselmo FRANCO-Urid	Mexico
5 Maximiliano Serafin RIVERA-Franco	Mexico
6 Cenen DIAZ-Bonilla	Mexico
7 Alvarado Conrado JIMENEZ-Bonifacio	Mexico

8 Further, complainant states that Anselmo FRANCO-Urid,
9 Maximiliano Serafin RIVERA-Franco, Cenen DIAZ-Bonilla and Alvarado
10 Conrado JIMENEZ-Bonifacio are citizens of a country other than the
11 United States; that said aliens have admitted that they are
12 deportable; that their testimony is material, that it is
13 impracticable to secure their attendance at the trial by subpoena;
14 and that they are material witnesses in relation to his criminal
15 charge and should be held or admitted to bail pursuant to Title 18,
16 United States Code, Section 3144.

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